

REMARKS

Claim Rejections Under 35 USC § 102(b)

Applicant traverses the Examiner's rejection of claims 9-16 as being anticipated by Leo (US 6,267,875, referred to hereafter as "Leo"). To more clearly distinguish over Leo, claim 1 has been amended, whereupon Applicant believes the rejection should be withdrawn and the claims allowed.

As amended, claim 9 recites a housing closing cover having a carrier element with a bottom surface to be positioned against a mating component and an opening in the carrier member. A fluid seal is mounted in the opening of the carrier element. The fluid seal has an annular axial sealing lip facing in the axial direction of the opening adjacent an edge of the opening to provide a static face seal between the housing and the mating component. The fluid seal also includes an annular radial sealing lip attached to the axial sealing lip and extending in a radial direction from the axial sealing lip for sealing a member projecting through the opening. The radial sealing lip is supported for angular and radial movement relative to the carrier without significantly impairing the sealing lip about the member projecting through the opening.

In contrast, Leo provides an oil filter canister 11, which the Examiner has elected to refer to as the carrier element, having a bottom surface, which the Examiner has defined by reference number 9d. Applicant notes that 9d is an opening in a base member 9 which forms a base of a filter core body, and that it is not part of the canister 11. Further, the Examiner has elected to identify a seal 11a, shown in Figure 14 of Leo, as corresponding to Applicant's annular axial sealing lip. Next, the Examiner refers to 9c, as shown in Figure 10 of Leo, as corresponding to Applicant's radial sealing lip, and further states that 9c is supported for angular and radial movement relative to the carrier 11 without significantly impairing the sealing lip 9c about a member projecting through the opening. Applicant suggests that these conclusions are a misinterpretation of what is actually disclosed in Leo, and thus, for purposes of clarity, has incorporated below as portion Figure 22 from Leo to discuss how these conclusions are believed in error.

In the portion of Figure 22 below, references numbers 9c, 11 and 11a have been added in italics to reference parts identified in other views to provide a single view for discussion purposes.

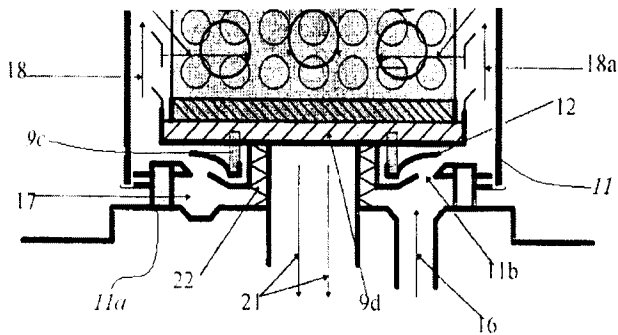


Fig. 22

As shown in Figure 22, reference number 11a identifies a circular gasket of the filter canister 11 (Col. 13, lines 27-28). As shown, the gasket 11a extends axially along the filter cartridge. Next, the reference number 9c identifies a

cylindrical collar-like supporting member welded to the base member 9. The collar 9c is preferably threaded in its center (Col. 14, lines 54-67). In addition, the collar 9c extends axially and in the same direction as the seal 11a. Further, the collar 9c is described as resting in a circular groove 12c to hold a collar-flap member 12 down firmly in place when components are threaded together, such that the collar-flap member 12 becomes an internal sealant between the filter assembly and the bottom assembly of the filter canister 11 (Col. 15, lines 33-49). As such, Applicant is confused as to the Examiner's interpretation stated in the present office action. How is it that 9c is part of a fluid seal extending radially from the seal 11a? Applicant believes the present amendment to claim 1 further clarifies distinguishing features, with these features reciting patentable subject matter over Leo.

Accordingly, amended claim 9 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 10 further recites the fluid seal as including a fusion zone connecting the radial sealing lip to the axial sealing lip to enable the angular and radial movement of the radial sealing lip through flexing of said fusion zone.

As noted above, Leo does not have a radial seal lip as recited by Applicant, and thus, it does not have a fusion zone as further recited in claim 10. Nothing in Leo discloses or suggest such structure, wherein a radial seal is allowed to move angularly and radially through flexion of a fusion zone connecting an axial sealing lip to a radial sealing lip. Applicant respectfully believes the Examiner's reference to Col. 15, lines 32-49 to be without support for arriving at a different conclusion.

Accordingly, claim 10 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 11 further recites the carrier member as having an axially angled region adjacent the opening of claim 9. The axially angled region is identified by reference number 8 in Applicant's drawings.

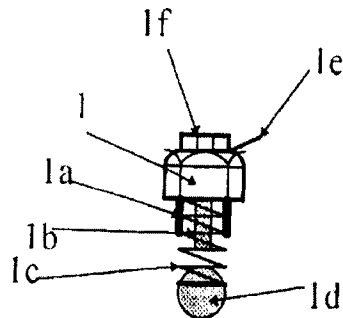


Fig. 2

The Examiner states that the carrier member 11 in Leo provides an axially angled region at 1c. This is not understood by Applicant. As shown to the left, Figure 2 of Leo identifies a spring 1c that hold a ball 1d in a closed position, when pressure pushes the ball 1d up and touches the hollow pin

1b...(Col.13, lines 31-39). As such, Applicant believes the Examiner has made an error in either stating the reference number, or in interpreting Leo as providing the carrier member 11 with an axially angled region adjacent an opening, as recited by Applicant.

Accordingly, claim 11 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 12 further defines the fusion zone of claim 10 as having a tapered neck region with a wave form

As noted above in support of claim 10, Leo does not disclose a fusion zone as claimed by Applicant. Therefore, claim 12 which further defines the fusion zone is also not present in Leo.

Accordingly, claim 12 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 13, as amended, further recites a flexible retainer spring being mounted on the fluid seal opposite and annularly about the radial sealing lip.

The Examiner now references 1c from Leo as being a flexible retainer spring mounted on the fluid seal opposite the radial sealing lip (already noted by the Examiner as being identified by 9c). This interpretation is not understood by Applicant. Regardless, Applicant has amended claim 13 to more clearly recited the relationship of the claimed flexible retainer spring structure to the radial sealing lip.

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AMENDMENT

Accordingly, amended claim 13 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 14, as amended, further recites a rigid ring mounted on the sealing lip opposite and annularly about the sealing lip.

For essentially the same reasons stated above in support of amended claim 13, claim 14, as amended, is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 15 is dependant upon claim 14, and thus, is believed to define patentable subject matter for at least the same reasons and to be in proper form for allowance. Such action is respectfully requested.

Claim 16 is dependant upon claim 10, and thus, is believed to define patentable subject matter for at least the same reasons and to be in proper form for allowance. Such action is respectfully requested.

It is believed that this application now is in condition for allowance. Further and favorable action is requested.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

Respectfully submitted,

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